

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

Case No. 7:01CR00039-002

UNITED STATES OF AMERICA)	
)	ORDER TO REDUCE TERM
v.)	OF IMPRISONMENT TO TIME SERVED
)	
ARTHUR ROZIER,)	
Defendant.)	

BEFORE THE COURT is a motion filed by the United States of America and the Director of the Federal Bureau of Prisons pursuant to 18 U.S.C. § 3582(c)(1)(A)(i), seeking a modification of the term of imprisonment of the defendant, Arthur Rozier, to time served, and commencement of a five-year term of supervised release previously imposed. The court finds:

1. Arthur Rozier pled guilty to violating 21 U.S.C. §§ 846 and 841(a)(1), Conspiracy to Distribute Cocaine Base.
2. Mr. Rozier was sentenced on November 5, 2001, in the United States District Court for the Eastern District of North Carolina to 262 months of imprisonment followed by five years of supervised release.
3. Mr. Rozier is 71 years old, has served 62 percent of his term of imprisonment, and is experiencing deteriorating physical health that substantially diminishes his ability to function in a correctional facility.

4. Title 18 U.S.C. § 3582(c)(1)(A)(i) authorizes the court, upon motion of the Director of the Federal Bureau of Prisons, to modify a term of imprisonment upon the finding that extraordinary and compelling reasons warrant the reduction. The Director of the Federal Bureau of Prisons contends, and this court agrees, that the defendant's medical condition, advanced age and service of at least 50 percent of his term of imprisonment constitute extraordinary and compelling reasons warranting the requested reduction.

IT IS THEREFORE ORDERED that the defendant's term of imprisonment is hereby reduced to the time he has already served.

IT IS FURTHER ORDERED that the defendant shall be released from the custody of the Federal Bureau of Prisons as soon as the release plan is implemented and travel arrangements can be made.

IT IS FURTHER ORDERED that upon his release from the custody of the Federal Bureau of Prisons, the defendant shall begin serving the five-year term of supervised release previously imposed.

DONE AND ORDERED THIS 5 **DAY OF JANUARY, 2015.**



TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE